

REMARKS

Favorable reconsideration of the above-identified application is requested in view of the amendments made herein and the following remarks.

Claim 15 is newly added. Thus, Claims 1-15 are pending, with Claims 1 and 15 being independent.

Claims 1, 2, 4-9 and 14 are rejected under 35 U.S.C. § 102(b) as being anticipated by *Doolin* (U.S. Patent No. 3,891,345), hereinafter *Doolin*. Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Doolin* and in view of *Voorhees* (U.S. Patent No. 6,244,819), hereinafter *Voorhees*. Claims 10-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Doolin*.

The present application discloses a first foot 30 and a second foot 32 that together hold a turbocharger casing of a turbocharger. According to an embodiment, the turbocharger casing is held in an axial direction that extends between the first foot 30 and the second foot 32. As illustrated in Figures 1 and 2 of the present application, the gas outlet casing 22, on the turbine-side end wall, has a connecting flange 40 that has the same circular radius as a casing connection region 34 of the second foot 32.

In the example shown, the connecting flange 40 describes a partial circle arc, thereby allowing the second foot 32 to be secured to the connecting flange 40 in any desired position with respect to the casing. In its casing connection region 34, the second foot 32 has a stop 42 that conforms to and extends along the shape of the circle arc and is configured to connect in a positively locking manner in the axial direction to the turbocharger casing. The stop 42 protrudes radially inward toward the center of the circle arc of the connection flange and forms an abutment surface

that faces substantially in the axial direction so that the connecting flange 40 and the stop 42 of the casing connection region 34 engage one another in a positively locking manner to connect the second foot 32 to the turbocharger casing 14. Thus, the connecting flange 40 connected to the turbocharger is held in the axial direction between the first foot 30 and the second foot 32 by way of the connecting region 34 of the second foot 32. See page 9, line 28 through page 10, line 20 of the present application for additional description.

Claim 1 recites, among other features, that a casing connection region comprises an axial stop which conforms to the shape of the circle arc and is configured to connect in a positively locking manner in the axial direction to the turbocharger casing, and the axial stop protrudes radially inward toward the center of the circle arc and forms an abutment surface that faces substantially in the axial direction.

Doolin discloses supporting feet for supporting a pump. Figures 5-8 in *Doolin* show the supporting foot 28 that is relied upon by the Examiner as the second supporting foot recited in Applicant's Claim 1. An adapter 14 is connected to a arcuate curved flange member 34 of the support foot 28. The flange member 34 has a flat surface in an axial direction and the adapter 14 is held in the axial direction by way of a bolt 36.

Claim 1 is allowable at least because it recites, among other features, an axial stop which conforms to and extends along the shape of the circle arc and is configured to connect in a positively locking manner in the axial direction to the turbocharger casing, and the axial stop protrudes radially inward toward the center of

the circle arc and forms an abutment surface that faces substantially in the axial direction.

Doolin does not disclose those features, in combination with the other features recited in Claim 1, and instead discloses a curved flange member 34 that is flush in the axial direction. Rather than using a protruding axial stop, as in Claim 1, axial locking in *Doolin* is provided by a bolt 36 that is connected to an adapter 14. As noted on page 9, lines 33-36 of the present application, the circle arc permits a connecting flange to connect to the casing connection region at any desired position, *i.e.*, rotated angle. In contrast, in *Doolin*, the angle that the adapter can be connected is limited by the position of the a bolt 36 and corresponding female threaded hole in the adapter 14.

For at least the reasons stated above, *Doolin* does not disclose or suggest the subject matter of Claim 1, and the rejection should be withdrawn.

The rejections of Claims 2 and 4-9 should also be withdrawn at least by virtue of their dependence from Claim 1.

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Doolin* in view of U.S. Patent No. 6,244,819 to Voorhees, hereinafter *Voorhees*. *Voorhees* is relied upon for a disclosure of the subject matter recited in Claim 3 and does not remedy the deficiencies of the rejection of Claim 1, from which Claim 3 depends. Therefore, Claim 3 is allowable for at least the same reasons as Claim 1 set forth above.

Claims 10-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Doolin*. Claims 10-13 are allowable at least by virtue of their dependence upon Claim 1.

New Claim 15 positively recites a turbocharger, thereby precluding the anticipatory rejection based on *Doolin*. None of the cited documents disclose or suggest, alone or in combination, the features recited in Claim 15.

For the reasons stated above, it is requested that all the rejections be withdrawn and that this application be allowed.

Should any questions arise in connection with this application, or should the Examiner feel that a teleconference would be helpful in resolving any remaining issues pertaining to this application, the undersigned requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: November 16, 2006

By: _____


Kevin B. McGoff
Registration No. 53,297

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620